

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Agricultural Marketing Department – Departmental proceedings initiated against Sri L. Srinivasulu, former Jeep Driver, O/o Deputy Executive Engineer(M), Khammam & Presently Junior Assistant, O/o Deputy Executive Engineer(M), Vijayawada for allegations of irregularities in jeep accident case - Imposing of Penalty besides recovery – Orders – Issued.

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AGRICULTURE & COOPERATION (VIG.II) DEPARTMENT

G.O.Rt.No. 1350

Dated:25-09-2010

Read the following:-

- 1) Charge Memo No.Ec-JA/145/2006-07, dt.16-05-2007 of C&DOAM, Hyd.
- 2) From Sri L. Srinivasulu, former Jeep Driver, Written statement of defence, dt.07-07-2007.
- 3) Procs.No.EC/JA/145/2006-07, dt.18-09-2007 of C&DOAM, Hyd.
- 4) From E.E.(M), Vijayawada & Inquiry Authority, Inquiry Report, dt.01-12-2007
- 5) Show Cause Notice No.DS(1)8351/2008, dt.18-03-2009 of the C&DOAM, Hyderabad.
- 6) From C&DOAM, Hyd. Lr.No.DS(1)8351/2008, dt.18-03-2009.
- 7) From Sri L. Srinivasulu, former Jeep Driver, Representation, dt.06-04-2009.
- 8) Govt.Memo No.4265/Vig.II(1)/2009-3, dt.01-08-2009.
- 9) Show Cause Notice No.DS(1)8351/2008, dt.05-09-2009 of the C&DOAM, Hyderabad.
- 10) From Sri L. Srinivasulu, former Jeep driver, Representation, dt.13-10-2009.
- 11) Govt.Letter No.4265/Vig.II(1)/2009-7, dt.07-07-2010.
- 12) From Secretary, APPSC, Hyd. Lr.No.990/RT-I/3/10, dt.09-08-2010.

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ORDER:

It was brought to the notice of the Government that Sri L. Srinivasulu, former Driver, O/o Deputy Executive Engineer(M), Khammam, while driving the jeep bearing No.AP-20-6332 on 23-02-1999 along with Sri D. Veera Reddy, Chairman, AMC, Khammam and Sri J. Babu, Secretary, AMC, Wyra made an accident hitting an old aged person Sri Cherukuri Narayana aged about 65 years sustained a minor injury on his forehead and admitted in a private hospital for first aid treatment and got him to Government Headquarter Hospital and shifted to a Private Hospital for further treatment. Later Sri Cherukuri Narayana was died on 01-03-1999 in the Hospital while under going treatment.

2. The Sub-Inspector, Wyra has filed a charge sheet in the Hon'ble Judicial 1st Class Magistrate, Madhira against Jeep Driver. As a result, the accused Sri L. Srinivasulu, Jeep Driver was arrested and sent for judicial remand. The Hon'ble Judicial 1st Class Magistrate, Madhira vide their judgment delivered on 12-11-2001 in C.P.No.76/1999 stating that the accused found not guilty for the offence. Aggrieved upon this, Smt. Satyavathi, W/o the Deceased filed an appeal before IV Addl.District Judge, M.A.C.T., Khammam and after the requisite arguments, the Hon'ble District Judge passed orders on 15-03-2005 directing that the petitioners are entitled to a compensation of Rs.1,54,000/- besides interest at 9% from the date of petition i.e. 21-05-1999 till the date of realization. The G.P., Khammam has suggested to file an appeal immediately before Hon'ble High Court, as it is a fit case. The Hon'ble Principal District Judge, Khammam passed E.P.No.33/2006 in O.P.No.457 of 1999, dt.4-1-2007 for attaching the property worth Rs.2,54,500/- . As per the advice of the Government Pleader, Khammam, the Deputy Executive Engineer(M), Khammam has approached the Government Pleader for Arbitration, A.P.High Court, Hyderabad on 31-01-2007. The Government Pleader for Arbitration, Hyderabad advised to deposit Rs.25,000/- in the court of Principal District Judge and after producing the receipt of the said deposit, the appeal along with condonation of delay will be filed in the Hon'ble High Court.

3. In the above case, the respondents No. 1 Sri L. Srinivasulu, former Driver & presently Junior Assistant and respondent No.2 Deputy Executive Engineer(M), Khammam have not filed any appeal in the High Court from the date of judgment i.e. 15-03-2005 till the date of issue of E.P.No.33 of 2006 in the month of January, 2007. The Deputy Executive Engineer(M), Khammam has deposited Rs.2,40,000/- to the Principle Senior Judge, Khammam in E.P.No.33/2000 in MVOP No.457/1999, dt.04-01-2007 by way of cheque from the funds of cost of tender schedule account of the Executive Engineer(AM), Warangal on behalf of the three accused officers, as permitted by the Commissioner & Director of Agricultural Marketing, Hyderabad.

4. In the above jeep accident case, the Commissioner & Director of Agricultural Marketing, Hyderabad had initiated departmental proceedings by framing article of charge against Sri L. Srinivasulu, former Jeep Driver, O/o Deputy Executive Engineer(M), Khammam for his careless driving vide reference 1st read above.

5. In the reference 2nd read above, Sri L. Srinivasulu, former Jeep Driver, has submitted his written statement of defence.

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6. As the written statement of defence was not found convincing, the Commissioner & Director of Agricultural Marketing, Hyderabad has appointed Sri V. Manmadha Rao, Executive Engineer(M), Vijayawada as Inquiry Authority to conduct common inquiry into the charges framed against the Charged Officer Sri L. Srinivasulu, former Jeep Driver, along with other Charged Officers in the same disciplinary case.

7. After conducting common inquiry, the Inquiry Authority has submitted the common inquiry report, wherein the charge was held proved against the Charged Officer Sri L. Srinivasulu, former Jeep Driver.

8. In the reference 5th read above, while communicating a copy of inquiry report, the Commissioner & Director of Agricultural Marketing, Hyderabad has directed the Charged Officer Sri L. Srinivasulu, former Jeep Driver to show cause as to why a major penalty besides recovery should not be imposed against him. At this stage, the Commissioner & Director of Agricultural Marketing, Hyderabad has referred the case to Government vide reference 6th read above.

9. In the reference 7th read above, the Charged Officer Sri L. Srinivasulu, former Jeep Driver has submitted his representation to the Show Cause Notice issued by the Commissioner & Director of Agricultural Marketing, Hyderabad.

10. Government, after careful examination of the matter with reference to the record of inquiry with reference to the representation of the Charged Officer to the Show Cause Notice, have decided to recover the entire amount of Rs.2,40,000/- from Sri L. Srinivasulu, former Jeep Driver, O/o Deputy Executive Engineer(M), Khammam & Presently Junior Assistant, O/o Deputy Executive Engineer(M), Vijayawada. Accordingly, in the reference 8th read above, the Commissioner & Director of Agricultural Marketing, Hyderabad was requested to issue revised Show Cause Notice to Sri L. Srinivasulu, former Jeep Driver to recover of entire amount of Rs.2,40,000/- and obtain representation from him.

11. In the reference 9th read above, the Commissioner & Director of Agricultural Marketing, Hyderabad has issued Show Cause Notice to the Charged Officer Sri L. Srinivasulu, former Jeep Driver with a direction to show cause as to why the entire amount of Rs.2,40,000/- should not be imposed against him. Sri L. Srinivasulu, former Jeep Driver has submitted his representation to the Show Cause Notice vide reference 10th read above.

12. Government, after careful examination of the entire matter, have decided to impose a penalty of withholding of two annual grade increments with cumulative effect besides recovery of amount of Rs.2,40,000/- against Sri L. Srinivasulu, former Jeep Driver, O/o Deputy Executive Engineer(M), Khammam & Presently Junior Assistant, O/o Deputy Executive Engineer(M), Vijayawada. Accordingly, Government have consulted the A.P.Public Service Commission for their concurrence vide reference 8th read above.

13. In the reference 9th read above, the A.P.Public Service Commission concurred the decision of the Government to impose a penalty of withholding of two annual grade increments with cumulative effect besides recovery of amount of Rs.2,40,000/- against Sri L. Srinivasulu, former Jeep Driver, O/o Deputy Executive Engineer(M), Khammam & Presently Junior Assistant, O/o Deputy Executive Engineer(M), Vijayawada.

14. Government, after careful examination of the matter, have decided to impose a penalty of withholding of two annual grade increments with cumulative effect besides recovery of amount of Rs.2,40,000/-(Rupees Two lakhs and Forty thousand only) against Sri L. Srinivasulu, former Jeep Driver, O/o Deputy Executive Engineer(M), Khammam & Presently Junior Assistant, O/o Deputy Executive Engineer(M), Vijayawada, in the above disciplinary case.

15. Accordingly, Government hereby impose a penalty of withholding of two annual grade increments with cumulative effect besides recovery of amount of Rs.2,40,000/-(Rupees Two lakhs and Forty thousand only) against Sri L. Srinivasulu, former Jeep Driver, O/o Deputy Executive Engineer(M), Khammam & Presently Junior Assistant, O/o Deputy Executive Engineer(M), Vijayawada.

16. The Commissioner & Director of Agricultural Marketing, Hyderabad shall take necessary action in the matter, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

K. R. KISHORE
PRINCIPAL SECRETARY TO GOVERNMENT

To

Sri L. Srinivasulu, former Jeep Driver, O/o Deputy Executive Engineer(M), Khammam & Presently Junior Assistant, O/o Deputy Executive Engineer(M), Vijayawada.

(Through: The Commissioner & Director of Agricultural Marketing, A.P., Hyderabad.

Copy to:-

The Commissioner & Director of Agricultural Marketing, A.P., Hyderabad.

The Secretary, A.P.Public Service Commission, Hyderabad / Sc/Sf.

// FORWARDED :: BY ORDER //

SECTION OFFICER

